

**TOWNSHIP OF SOUTH-WEST OXFORD
COUNCIL MINUTES**

May 5, 2009

MEMBERS PRESENT: Mayor: James Hayes
Councillors: Anne Vanhoucke, Ron Sackrider,
George Klosler, David Mayberry,
Gerald Mitchell

MEMBERS ABSENT: Councillor: Jay Heaman

STAFF PRESENT: Allen Forrester, Clerk-Treasurer Administrator

MEETING CALLED TO ORDER

The meeting was called to order at 9:00 a.m. by Mayor James Hayes.

APPROVAL OF AGENDA

Resolution No. 1 –

Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that the agenda for the May 5, 2009, Regular Meeting of Council be accepted.

DISPOSITION: Motion Carried.

MINUTES:

Resolution No. 2 –

Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that the minutes of the April 21, 2009, Regular Meeting of Council be accepted.

DISPOSITION: Motion Carried.

Resolution No. 3 –

Moved by David Mayberry
Seconded Gerry Mitchell

RESOLVED that the minutes of the April 21, 2009, Closed Meeting of Council be accepted.

DISPOSITION: Motion Carried

Resolution No. 4 –

Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that the minutes of the April 28, 2009, Special Meeting of Council be accepted.

DISPOSITION: Motion Carried

DECLARATION OF PECUNIARY INTEREST

There were no declarations.

APPOINTMENT OF MEMBERS OF COURTS OF REVISION FOR MUNICIPAL DRAINS

Resolution No. 5 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the following persons be appointed as member of the Court of Revision for the Ruckle Drain, Branch “A” – 2009:

CHAIRPERSON – David Mayberry
MEMBER – Gerry Mitchell
MEMBER – Ron Sackrider

DISPOSITION: Motion Carried

Resolution No. 6 –

Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that the following persons be appointed as member of the Court of Revision for the Derrough Drain 2009:

CHAIRPERSON – Ron Sackrider
MEMBER – George Klosler
MEMBER – Anne Vanhoucke

DISPOSITION: Motion Carried

Resolution No. 7 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the following persons be appointed as member of the Court of Revision for the Curry Drain 2009:

CHAIRPERSON – David Mayberry
MEMBER – Gerry Mitchell
MEMBER – George Klosler

DISPOSITION: Motion Carried

WORKS DEPARTMENT

Works Superintendent Bill Freeman gave his report as follows:

Report No. W.D. 9-2009, Subject (s):

- 1) Tenders for Supply of Culvert Pipe
- 2) Insurance Valuations re. Recycling Depot & Equipment
- 3) Tenders for Reconstruction of Oak and Vine Streets, Beachville
- 4) Works Department Activity

Resolution No. 8 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the Works Superintendent's Report No. W.D. 9-2009 be accepted.

DISPOSITION: Motion Carried

BUILDING DEPARTMENT

Chief Building Official Dwayne Daniel gave his report as follows:

Report No. B.D. 8-2009, Subject (s):

- 1) Dereham Centre Community Hall Accessibility Fund Application
- 2) Inspections

The Chief Building Official was directed to inquire about the possibility of applying for a grant towards a weeping bed for the Dereham Centre Community Hall (if a new one is needed) under the Wellhead Protection Area program.

Mr. Daniel was also directed to inform the Dereham Centre Hall Board about the proposed accessibility improvements to the Hall.

Resolution No. 9 –

Moved by D. Anne Vanhoucke
Seconded by George Klosler

RESOLVED that the Chief Building Official's Report No. B.D. 8-2009 be accepted.

DISPOSITION: Motion Carried

DRAINAGE DEPARTMENT

Drainage Superintendent Wray Ramsay gave his report as follows:

Report No. D.D. 10-2009, Subject(s);

1) Drainage Activity for April

Resolution No. 10 –

Moved by D. Anne Vahoucke
Seconded by George Klosler

RESOLVED that the Drainage Superintendent's Report No. D.D. 10-2009 be received.

DISPOSITION: Motion Carried

CLOSED MEETING

Resolution No. 11 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED THAT Council hold a closed meeting in order to address a matter pertaining to:

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

DISPOSITION: Motion Carried

Council went into Committee of the Whole "in camera" at 9:57 a.m. and reconvened "in public" at 10:24 a.m.

BY-LAW ENFORCEMENT

Resolution No. 12 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the By-Law Enforcement Officer's Report No. B.E. 4-2009 be received.

DISPOSITION: Motion Carried

MEMORANDUM OF AGREEMENT WITH TOWNSHIP EMPLOYERS FOR THE YEAR 2009

Resolution No. 13 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that Council approve the 2009 Memorandum of Agreement between the Corporation of the Township of South-West Oxford, and both the management and non-management employees for the year 2009.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 334 FROM TOWNSHIP OF ESSA
RE: PUBLIC SALARY DISCLOSURES**

Resolution No. 14 –

Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that the resolution of the Township of Essa requesting the Province of Ontario to establish a review process for annual salaries over \$500,000 in the Ontario Public Sector be supported.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 357 FROM THAMES VALLEY DISTRICT SCHOOL BOARD
RE: SURPLUS SCHOOL PROPERTY (SWEABURG PUBLIC SCHOOL)**

Resolution No. 15 –

Moved by George Klosler
Seconded by David Mayberry

RESOLVED that Thames Valley District School Board be advised that the Township of South-West Oxford is interested in acquiring the Sweaburg Public School property, 474464 Dodge Line.

DISPOSITION: Motion Carried

MARRIAGE SOLEMNIZATION SERVICE

Correspondence was received from the following persons requesting Council to provide marriage solemnization service:

Jack Wharram, Jr.
Dwight and Nancy Hargreaves
Paul Tree

Resolution No. 16 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the Township of South-West Oxford provide the service of marriage solemnization.

DISPOSITION: Motion Carried

DELEGATION RE: CRANBERRY ROAD RECONSTRUCTION

Carol and Charles Pettman appeared before Council to discuss their concerns with regard to trees on the road allowance for Cranberry Road, some of which will have to be removed when the road is reconstructed in 2009.

Other persons present at the meeting for the consideration of the trees on Cranberry Road were:

Kim D'Hulster	Mike Lassam
Arthur Fletcher	Angela Lassam
John Sandham	Tom Smith
Georgina M. Williams	Elizabeth Smith

Carol Pettman made the following comments:

- The Township is planning to destroy 38 trees.
- Trees replanted by the Township in other instances were not replaced with the same quality of tree. The replacement trees were not comparable.
- The Pettmans believe that there is an old agreement that describes Cranberry Road as a 50 ft. wide road but they are having a problem tracking it down.
- The Township has agreed not to move the old walnut trees.
- The Pettmans measured (on the southern part of the road) a distance of 55 ft. from tree trunk to tree trunk.
- Bikers and hikers using the road have stopped and made complimentary remarks about the attractiveness of the road and trees.

Carol Pettman suggested that the Township rebuild the road on a 55 ft. wide road width (rather than 66 ft.) back to Lot 4 and return the 11 ft. back to them in a manner satisfactory to their use.

Charles Pettman said that he had visited the Township office and requested a copy of the old (1844) survey but had been informed that it was not available. He said he would like a copy of the survey and what benchmark was used.

Other concerns of Mr. Pettman were:

- The roads at the corner with Ostrander Road are not lined up. If they were made straight there would be fewer accidents.
- Mr. Pettman expressed some concerns about a tile in the ditch and what would be done with it. Also there is a catchbasin that is not big enough.
- How deep will the ditches be dug? If you get the ditch too deep water will go into the field.
- The big trees will have to be trimmed. How are they going to be trimmed?
- What will be done about the driveway at the top of the hill?

Further consideration of the concerns of the delegation with regard to Cranberry Road reconstruction was deferred until after the scheduled public meeting for a zone change application.

ADJOURN FOR A PUBLIC MEETING FOR A ZONE CHANGE APPLICATION

Resolution No. 17 –

Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that Council adjourn in order that a Public Meeting for a Zone Change may be held.

DISPOSITION: Motion Carried

PUBLIC MEETING FOR ZONE CHANGE APPLICATION NO. ZON 4-09-2, OWNER: JANET E. JUSTUS, LOCATION: PART LOT 18, CONCESSION 10 (DEREHAM), TOWNSHIP OF SOUTH-WEST OXFORD

The following persons were present in support of the application:

Janet E. Justus
Rachael Meyer-Fisher

Melissa Sherran, Planner, Community and Strategic Planning, County of Oxford, gave the Planning Report for the application.

No one else appeared either in support of or opposed to the application.

Chairperson James Hayes declared the Public Meeting concluded.

The Council Meeting was resumed.

Resolution No. 18 –

Moved by Gerry Mitchell

Seconded by Ron Sackrider

RESOLVED that Zone Change Application No. ZON 4-09-2 to rezone lands in Part Lot 18, Concession 10, (Dereham), Township of South-West Oxford, to satisfy a condition of consent (Application No. B-7/09) to create a rural residential lot through farm consolidation, be approved in principle.

DISPOSITION: Motion Carried

DELEGATION RE: CRANBERRY ROAD RECONSTRUCTION (cont'd)

Works Superintendent Bill Freeman responded that he would need to find the drain and culvert that Mr. Pettman had mentioned. Also, with regard to the driveway at the top of the hill, the property owner concerned would still have an entrance although it might have to be adjusted due to the hill to being taken down.

Mr. Freeman also commented that, if there was a traffic accident involving trees on the road allowance, the Township might be held liable if it left the trees there when reconstructing the road.

Charles Pettman said that the trees they planted were planted inside the fence row. They planted them in good faith and they cleaned out the fence row at the time.

Bill Freeman commented that he was planning on leaving the walnut trees at Ostrander Line. He said the Township was looking at removing approximately 25 trees.

Carol Pettman said that they (the Pettmans) were not objecting to the road being paved, nor to cutting the hill down.

Charles Pettman commented that the existing road is not centered within the road allowance.

Works Superintendent Bill Freeman said the construction work was not slated until late August.

Carol Pettman said that 5 of the trees to be removed are rare, male, Kentucky Coffee trees and there are 5 others in a different location. They wanted to save these trees.

CONSIDERATION OF THE QUINN DRAIN 2009 ENGINEER'S REPORT

Mike De Vos, P. Eng., of Spriet Associates London Limited reviewed the Quinn Drain 2009 Engineer's Report.

Present for the consideration of this report were:

Daniel Puente

Mary Ellen Quinn

Cynthia Puente

Gerald Quinn

Kathy Geltink
Kathleen La Rose
Wray Ramsay, Drainage
Superintendent

Bas Pier
Mint Klynstra
Keith Quinn

Keith Quinn asked, with regard to the drain put in in the 1970's, why didn't they oversize it at that time.

Mike De Vos replied that over that fairly long time period design standards have changed. Not as much systematic tiling was being done at that time. The design guidelines are put out by the Ministry of Agriculture and Food and they have changed their recommendations since the tile referred to were installed.

Mr. De Vos explained what was proposed for the part of the drain crossing under Salford Road (in response to a question).

With regard to a question as to whether it is necessary to destroy the old tile, Mr. De Vos said that it would revert back to the status of a private header tile. The property owner could make use of it if its condition was good enough.

Mr. De Vos explained what is meant by "benefit assessment" and "outlet assessment".

Resolution No. 19 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the Engineer's Report for the Quinn Drain 2009 be accepted and the Clerk instructed to prepare the necessary by-law.

DISPOSITION: Motion Carried

Council adjourned for lunch at 12:13 p.m. and reconvened at 1:00 p.m.

ACCOUNTS PAYABLE

Resolution No. 20 –

Moved by Ron Sackrider
Seconded by David Mayberry

RESOLVED that the following Accounts be approved
for payment:

Accounts payable council report	\$111,056.89
Gst recoverable	\$7,927.42
Bi-Weekly #9	\$29,385.97
Pre-Authorized Payments (PAP)	\$13,661.51
TOTAL	<u>\$162,031.79</u>

DISPOSITION: Motion Carried

Councillor D. Anne Vanhoucke rejoined the meeting.

***INFORMATION CORRESPONDENCE ITEM NO. 333 FROM ASSOCIATION OF MUNICIPALITIES OF ONTARIO (AMO)
RE: APPROVAL OF USED TIRES PROGRAM PLAN***

The Clerk was directed to obtain more information from the website.

INFORMATION CORRESPONDENCE

Resolution No. 21 –

Moved by Ron Sackrider
Seconded by David Mayberry

RESOLVED that the following information correspondence
be noted and filed:

#331, #333, #335, #336, #337, #341, #344, #345, #346, #348, #350, #351,
#353, #356, #363

DISPOSITION: Motion Carried

PETITION FOR DRAINAGE WORKS, LOT 12, CONCESSION 1 (WEST OXFORD)

Resolution No. 22 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that South-West Oxford Council accept the petition for
drainage Lot 12, Concession 1 former Township of West Oxford.

DISPOSITION: Motion Carried

ONTARIO ASSOCIATION OF FIRE CHIEFS' CONFERENCE, MUNICIPAL POLITICIANS SEMINAR

Councillors George Klosler and Ron Sackrider reported about the Municipal Politicians Part of the Ontario Association of Fire Chiefs' Conference that they attended in May, 2009.

ADJOURN FOR COURTS OF REVISION FOR MUNICIPAL DRAINS

Resolution No. 23 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that Council adjourn in order that Courts of Revision for various municipal drains may be held in the Chamber.

DISPOSITION: Motion Carried

The Courts of Revision having been adjourned the Council Meeting was resumed.

BY-LAW NO. 6-2009 (3rd Reading)

SUBJECT: RECONSTRUCTION AND EXTENSION OF THE DERROUGH DRAIN SERVING PARTS OF LOTS 22 TO 25, CONCESSIONS 10 AND 11 (FORMERLY OF THE TOWNSHIP OF DEREHAM)

Resolution No. 24 –

Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that the By-Law with regard to the Derrough Drain 2009 be now Read a third time and finally passed, signed, sealed and numbered 6-2009.

DISPOSITION: Motion Carried

BY-LAW NO. 7-2009 (3rd Reading)

SUBJECT: RECONSTRUCTION OF BRANCH "A" OF THE RUCKLE MUNICIPAL DRAIN SERVING PARTS OF LOTS 14 TO 16, CONCESSION 2 (FORMERLY OF THE TOWNSHIP OF WEST OXFORD)

Resolution No. 25 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the By-Law with regard to the Ruckle Drain – Branch "A" 2009 be now Read a third time and finally passed, signed, sealed and numbered 7-2009.

DISPOSITION: Motion Carried

BY-LAW NO. 8-2009 (3rd Reading)

SUBJECT: REPAIR AND IMPROVEMENT OF THE CURRY MUNICIPAL DRAIN SERVING PARTS OF LOTS 19 TO 22, CONCESSION 6 (FORMERLY OF THE TOWNSHIP OF DEREHAM)

Resolution No. 26 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the By-Law with regard to the Curry Drain 2009 be now Read a third time and finally passed, signed, sealed and numbered 8-2009.

DISPOSITION: Motion Carried

BY-LAW NO. 22-2009 (1st and 2nd Reading)

SUBJECT: RECONSTRUCTION OF THE QUINN MUNICIPAL DRAIN SERVING PARTS OF LOTS 14 TO 19, CONCESSIONS 1 TO 3 (FORMERLY OF THE TOWNSHIP OF DEREHAM)

Resolution No. 27 –

Moved by D. Anne Vanhoucke
Seconded by George Klosler

RESOLVED that the mover be granted leave to introduce a by-law to provide for drainage works on the Quinn Drain, 2009 and this shall constitute the First and Second Reading thereof. (By-Law No. 22-2009)

DISPOSITION: Motion Carried

ADJOURNMENT

Resolution No. 28 –

Moved by Ron Sackrider
Seconded by David Mayberry

RESOLVED that there being no further business Council adjourn
at 2:04 p.m. to meet again on May 12, 2009, commencing at 7:00
p.m.

DISPOSITION: Motion Carried

These minutes were adopted by Council on the 19th day of May, 2009.

MAYOR: James Hayes

CLERK: Allen Forrester